

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and purchase power cost recovery  
clause with generating performance incentive  
factor

Docket No: 20230001-EI

Date: August 21, 2023

**FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR EXTENSION OF  
CONFIDENTIAL CLASSIFICATION OF CERTAIN INFORMATION ON  
FPL'S 2022 RISK MANAGEMENT PLAN (GJY-2)**

Pursuant to Section 366.093, Florida Statutes ("Section 366.093") and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company ("FPL") hereby submits its Request for Extension of Confidential Classification of Certain Information contained in FPL's 2022 Risk Management Plan ("Hedging Plan"), which is Exhibit GJY-2 to the 2021 actual/estimated true-up petition filed in Docket No. 20210001-EI on July 27, 2021 (the "Confidential Information"). In support of its Request, FPL states as follows:

1. On July 27, 2021, FPL filed a Request for Confidential Classification of the Confidential Information, which included Exhibits A, B, C and D ("July 27, 2021 Request"). By Order No. PSC-2022-0084-CFO-EI, dated February 21, 2022 ("Order 0084"), the Commission granted FPL's July 27, 2021 Request. FPL adopts and incorporates by reference the July 27, 2021 Request and Order 0084.

2. The period of confidential treatment granted by Order 0084 will soon expire. The Confidential Information that was the subject of FPL's July 27, 2021 Request and Order 0084 warrants continued treatment as proprietary and confidential business information within the meaning of Section 366.093(3). Accordingly, FPL hereby submits its Request for Extension of Confidential Classification.

3. All the information designated in Exhibit A to the July 27, 2021 Request remains confidential. Accordingly, Exhibits A, B and C remain unchanged and will not be reproduced or

reattached here. Included with this filing as Revised Exhibit D is the declaration of Gerard J. Yupp in support of this request.

4. The Confidential Information is intended to be and has been treated by FPL as private, its confidentiality has been maintained, and its disclosure would cause harm to FPL and its customers. Pursuant to Section 366.093, such information is entitled to confidential treatment and is exempt from the disclosure provisions of the public records law. Thus, once the Commission determined that the information in question is proprietary confidential business information, the Commission is not required to engage in any further analysis or review such as weighing the harm of disclosure against the public interest in access to the information.

5. As described more fully in the declaration included as Revised Exhibit D, the Hedging Plan includes details of FPL's strategy and plans for hedging fuel purchases in 2022 and beyond. Certain Confidential Information contained in the Hedging Plan relates to hedging-related bids or other contractual data, the disclosure of which would impair the efforts of FPL to hedge on favorable terms, to the detriment of FPL and its customers. This information is protected by Section 366.093(3)(d), Fla. Stat.

5. Additionally, the Confidential Information contained in the Hedging Plan also relates to competitive interests, and its disclosure would impair the competitive business of FPL. This information is protected by Section 366.093(3)(e), Fla. Stat.

6. Upon a finding by the Commission that the Confidential Information remains proprietary and confidential business information, the information should not be declassified for at least an additional eighteen (18) month period and should be returned to FPL as soon as it is no longer necessary for the Commission to conduct its business. *See* § 366.093(4), Fla. Stat.

**WHEREFORE**, for the above and foregoing reasons, as more fully set forth in the supporting materials, Florida Power & Light Company respectfully requests that its Request for Confidential Classification be granted.

Respectfully submitted,

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By: /s/ David M. Lee

David M. Lee  
Florida Bar No. 103152

**CERTIFICATE OF SERVICE**  
**Docket No. 20230001-EI**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail on this 21<sup>st</sup> day of August 2023 to the following:

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By: /s/ David M. Lee

David M. Lee  
Florida Bar No. 103152

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**REVISED EXHIBIT “D”**

**FPL’s REQUEST FOR EXTENSION OF  
CONFIDENTIAL CLASSIFICATION FOR  
FPL’S 2022 RISK MANAGEMENT PLAN  
(GJY-2)**

**REVISED EXHIBIT D**

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchase Power Cost Recovery Clause  
with Generating Performance Incentive Factor

Docket No. 20230001-EI

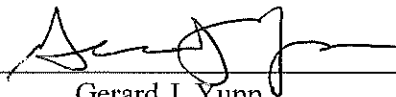
**DECLARATION OF GERARD J. YUPP**

1. My name is Gerard J. Yupp. I am currently employed by Florida Power & Light Company ("FPL") as Senior Director of Wholesale Operations in the Energy Marketing and Trading Division. I have personal knowledge of the matters stated in this declaration.

2. I have reviewed Exhibit C and the documents that were included in Exhibit A to FPL's July 27, 2021 Request for Confidential Classification of referenced and incorporated in FPL's Request for Extension of Confidential Classification of Information Provided in its 2022 Risk Management Plan. The documents or materials that I have reviewed, and which are asserted by FPL to be proprietary confidential business information, contain or constitute data pertinent to FPL's procurement activities and hedging program. Specifically, the documents contain or constitute proprietary FPL strategies, which allow FPL to hedge its fuel purchases on favorable terms for FPL and its customers. The disclosure of this information would provide other market participants insight into FPL's marketing and trading practices, as well as internal policy and procedure that would allow them, to anticipate FPL's marketing and trading decisions, and/or impair FPL's ability to negotiate, to the detriment of FPL and its customers. To the best of my knowledge, FPL has maintained the confidentiality of these documents and materials.

3. Consistent with the provisions of the Florida Administrative Code, such materials should remain confidential for a period of least eighteen (18) months. In addition, they should be returned to FPL as soon as the information is no longer necessary for the Commission to conduct its business so that FPL can continue to maintain the confidentiality of these documents.

4. Under penalties of perjury, I declare that I have read the foregoing declaration and that the facts stated in it are true to the best of my knowledge and belief.

  
\_\_\_\_\_  
Gerard J. Yupp

Date: 8/21/23